

Excerpts from the Nebraska Mental Health Commitment Act

71-924

Mental Health Board; duties

A hearing shall be held by the mental health board to determine whether there is **clear and convincing evidence** that the subject is mentally ill and dangerous as alleged in the petition. At the commencement of the hearing, the board shall inquire whether the subject has received a copy of the petition and list of rights accorded him or her by sections **71-943** to **71-960** and whether he or she has read and understood them. The board shall explain to the subject any part of the petition or list of rights which he or she has not read or understood. The board shall inquire of the subject whether he or she admits or denies the allegations of the petition. If the subject admits the allegations, the board shall proceed to enter a treatment order pursuant to section **71-925**. If the subject denies the allegations of the petition, the board shall proceed with a hearing on the merits of the petition.

Source: laws 1976, LB 806 § 45; Laws 1981, LB 95, § 14; R.S. 1943, (1999), §83-1035; Laws 2004, LB 1083, § 44.

Operative date July 1, 2004.

71-907

Mentally Ill Defined

Mentally ill means have a psychiatric disorder that involves a severe or substantial impairment of a person's thought processes, sensory input, mood balance, memory, or ability to reason which substantially interferes with such person's ability to meet the ordinary demands of living or interferes with the safety or well-being of others.

Source: Laws 1977, LB 204, § 27; R.S. 1943, (1999), § 83-1009.01; Laws 2004, LB 1083, § 27.

Operative date July 1, 2004.

